

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSHUA ALGER,

Plaintiff,

Case No. 18-cv-13280
Hon. Matthew F. Leitman

v.

ECF DENTIST, *et al.*,

Defendants.

/

**ORDER GRANTING MOTION TO DISMISS ACTION WITH
PREJUDICE FOR FAILURE TO PROSECUTE**

This action was scheduled for a bench trial on March 7, 2023, at 9:30 a.m. The purpose of the bench trial was to resolve Defendant Bobby Echols' affirmative defense of failure to exhaust administrative remedies. Plaintiff Joshua Alger failed to appear for the bench trial. When he failed to appear, defense counsel orally moved to dismiss the action under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute. The Court **GRANTED** the motion for reasons explained in detail on the record. Accordingly, IT IS HEREBY ORDERED that this action is **DISMISSED WITH PREJUDICE** for Plaintiff's failure to prosecute.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: March 7, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 7, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
(313) 234-5126